



STATE OF ARKANSAS  
**TOBACCO CONTROL BOARD**

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**BOARD MEMBERS**

Ken Milburn, Jr., Chairman  
Dr. J. Neal Beaton  
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Toby Longino  
Michael Moore  
Annie Ruth Pike  
Ronald Rivers  
Scott Wallace

Charlie Davis  
Director

DATE: January 20, 2000

TO: Arkansas Cigarette and Tobacco Retailers

FROM: Charlie Davis, Director

SUBJECT: PROVIDING MINORS WITH TOBACCO PRODUCTS AND CIGARETTE PAPERS

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**ARKANSAS STATE LAW PROVIDES THAT:**

- The sale, barter or giving of tobacco products to persons under age 18 is prohibited. Employees who violate this provision will be subject to a fine not to exceed \$100 per violation. Retailers shall be subject to a fine of up to \$250 for the first violation; up to \$500 and suspension of licenses for up to two days for the second violation within 48 months; up to \$1,000 and suspension of licenses for up to 7 days for a third violation within 48 months; up to \$2000 and suspension of licenses for up to 14 days for a fourth or subsequent violation within 48 months; and possible licenses revocation for a fifth violation within 48 months.
- A notice of alleged violation shall be given to the retailer within 10 days. When reviewing a possible violation, the Tobacco Control Board shall consider whether the retailer adopted and enforced a written policy against selling cigarettes or tobacco products to minors, informed its employees of the applicable laws, required employees to verify the age of customers by way of photographic identification, and established and imposed disciplinary sanctions for noncompliance.
- The possession, purchase, attempted purchase or use of tobacco products by persons under age 18 is prohibited. The use of any falsified identification, or any identification other than his or her own, for the purpose of obtaining or attempting to obtain tobacco products is prohibited. Any cigarettes or tobacco products found in the possession of a person under 18 years of age may be confiscated by a certified law enforcement officer or a school official and immediately destroyed.
- A sign must be prominently posted at each sales counter, or retailers will be subject to fines. It shall include a depiction of a pack of cigarettes at least 2 inches high defaced by a red diagonal diameter of a surrounding red circle and contain red lettering at least ½ inch high on a white background that states:

IT IS A VIOLATION OF THE LAW FOR CIGARETTES  
OR OTHER TOBACCO PRODUCTS TO BE SOLD TO  
OR PURCHASED BY A PERSON UNDER THE AGE OF 18.

- As a condition of receiving federal substance abuse block grant funds, federal law requires the State of Arkansas to conduct random, unannounced inspections of tobacco outlets to determine compliance rates. Persons under 18 years of age may be enlisted to assist an authorized agent or representative of a state or local law enforcement authority, the Arkansas Tobacco Control Board, the Arkansas Department of Health or other state government agency in testing compliance with written parental or legal guardian consent.